15-DAY COMMENT PERIOD MODIFICATIONS TO EXPRESS TERMS

FOR

PROPOSED BUILDING STANDARDS

OF THE

OFFICE OF THE STATE FIRE MARSHAL (OSFM)
REGARDING THE ADOPTION BY REFERENCE OF THE
2006 EDITION OF THE INTERNATIONAL BUILDING CODE (IBC)
WITH AMENDMENTS INTO THE 2007 CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2.

Legend for Express Terms:

- 1. California amendment (CA) brought forward without modification: All language will appear in italics.
- 2. California amendment (CA) brought forward with modification: All language will appear in italics, modified language is shown <u>underlined</u>.
- 3. New CBC language with new California amendment (CA): CBC language shown in normal Arial 9 pt. California amendments to CBC text is shown <u>underlined and in italics</u>.
- 4. New California amendment (CA): California language will appear underlined and in italics.
- 5. Repealed language: Shown as Strikeout.
- Amended, adopted or repealed language for the 15-day public comment: Amended, adopted, or repealed language will appear in <u>double underline</u> and double strikeout.
- 7. IBC language proposed to be removed: Shown as Strikeout.
- 8. Notation: Authority and reference citations are provided at the end of each section.

CHAPTER 3

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by eix-er more than six persons at any one time for educational purposes through the 12th grade. Religious educational rooms and religious auditoriums, which are accessory to churches in accordance with Section 508.3.1 and have occupant loads of less than 100, shall be classified as A-3 occupancies.

(Relocated from 2001 CBC 305.1) **Exception:** [Fer_SFM] A residence used as a home school for the children who normally reside at the residence. Such residences shall remain classified as Group R-1 R-2, or Group R-3 Occupancies.

Authority: Health and Safety Code Sections 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment for more than six are classified as an E Occupancy (305.1, 2001 CBC). Furthermore this amendment is to keep consistency with the provisions of Section of 305, 308, 310, and 425 and remove conflict with the other occupancies found in those sections.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

305.2 Day care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five six children older than 2½ years of age, shall be classified as a Group E occupancy.

Exception: [SFM] A Daycare facility not otherwise classified as an R-3 Occupancy, where occupants are not capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group I-4.

Authority: Health and Safety Code Sections 1502, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment to clarify that a day care facility for more than six children that cannot respond to an emergency situation without physical assistance from staff would be classified as a Group I-4 Occupancy (305.1, 2001 CBC). This places children who are not physically or cognitively able to respond in an emergency situation into an occupancy that provides a higher level of protection. Furthermore the IBC Commentary, indicates that children less than 2 ½ years of age are generally incapable of responding to emergencies and therefore need to be placed in an occupancy with a higher level of protection (Group I-4).

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

308.3 Group I-2. This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care on a 24-hour basis for more than <u>five six persons</u> who are <u>not capable of self-preservation classified as non-ambulatory or bedridden.</u> This group shall include, but not be limited to, the following:

Hospitals

Nursing homes (both intermediate care facilities and skilled nursing facilities)

Mental hospitals

Detoxification facilities

A facility such as the above with five or fewer persons shall be classified as Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2.

Authority: Health and Safety Code Sections 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to this amendment to add non-ambulatory and bedridden into the Group I-2 definition in lieu of the IBC terminology of "not capable of unassisted self preservation" to maintain statutory provisions and definitions of non-ambulatory and bedridden for all persons receiving any type of care. This is also consistent with terminology used by other state agencies that license these care facilities. The last sentence is being deleted as California is not adopting the International Residential Code.

308.3.1 Child care facility. A child care facility that provides care on a 24-hour basis to more than $\frac{\text{five-}six}{2}$ children $\frac{2^{1}}{2}$ years of age or less shall be classified as Group I-2.

Authority: Health and Safety Code Sections 13131, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment to clarify that a child care facility for more than six children that cannot respond to an emergency situation without physical assistance from staff would be classified as a Group I-2 Occupancy (305.1, 2001 CBC). This places children who are not physically or cognitively able to respond in an emergency situation into an occupancy that provides a higher level of protection.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

- **308.4.1 Condition 1.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas, and other spaces where access or occupancy is permitted, to the exterior via means of egress without restraint. A Condition 1 facility is permitted to be constructed as Group R. *Net used:*
- **308.4.2 Condition 2.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and any other occupied smoke compartment to one or more other smoke compartments. Egress to the exterior is impeded by locked exits.
- **308.4.3 Condition 3.** This occupancy condition shall include buildings in which free movement is allowed within individual smoke compartments, such as within a residential unit comprised of individual sleeping units and group activity spaces, where egress is impeded by remote-controlled release of means of egress from such a smoke compartment to another smoke compartment.
- **308.4.4 Condition 4.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from sleeping units, activity spaces and other occupied areas within the smoke compartment to other smoke compartments.
- **308.4.5 Condition 5.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from sleeping units, activity spaces and other occupied areas within the smoke compartment to other smoke compartments.

Authority: Health and Safety Code Sections 13143 References: Health and Safety Code Sections 13143

Pationalo

OSFM is repealing the proposed deletion of 308.4.1 and removing the language "Not used". SFM has further studied the provisions of IBC 308.4.1 Condition 1 for I-3 Occupancies and has determined the model code provisions are adequate for certain detention facilities regulated by OSFM (e.g. honor farms and conservation camps housing inmates who are not restrained).

308.5 Group I-4, day care facilities. This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage or adoption and in a place other than the home of the person cared for. A facility such as the above with **five** six or fewer persons shall be classified as a Group R-3. **or shall comply with the International Residential Code** in accordance with Section 101.2. Places of worship during religious functions are not included.

Authority: Health and Safety Code Sections 1569.78, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment to clarify that a day care facility for six or fewer children maybe classified as a Group R-3 Occupancy. Furthermore this amendment is to keep consistency with the provisions of Section of 305, 308, 310, and 425 and remove conflict with the other occupancies found in those sections.

SFM is further proposing to delete the reference to the International Residential Code as California is not adopting the International Residential Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

308.5.1 Adult care facility. A facility that provides accommodations for less than 24 hours for more than five six unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

Exception: A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group A-3.

Authority: Health and Safety Code Sections 1569.78, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment to clarify that a adult day care facility for more than six be classified as a Group I-4 Occupancy. Furthermore this amendment is to keep consistency with the provisions of Section of 305, 308, 310, and 425 and remove conflict with the other occupancies found in those sections.

SFM is proposing the amendment to remove the exception that will maintain adult day care facility clients under the Group I-4 occupancy regardless of their ability to respond to emergencies without assistance from staff. Due to the basic level of care that these clients need, they should be provided with the higher level of safety found in a Group I-4. This amendment is consistent with the previous requirements contained in the 2001 California Building Code, which will maintain the fire and life safety policy of the SFM. This amendment does not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

308.5.2 Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than **five**-<u>six</u> children 2½ years of age or less shall be classified as Group I-4.

Exception: A child day care facility that provides care for more than five-six but no more than 100 children 2½ years or less of age, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

Authority: Health and Safety Code Sections 1569.78, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth this amendment to clarify that a child care facility for more than six children that cannot respond to an emergency situation without physical assistance from staff would be classified as a Group I-4 Occupancy (305.1, 2001 CBC). This places children who are not physically or cognitively able to respond in an emergency situation into an occupancy that provides a higher level of protection. Furthermore the IBC Commentary,

indicates that children less than 2 ½ years of age are generally incapable of responding to emergencies and therefore need to be placed in an occupancy with a higher level of protection (Group I-4).

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

CHAPTER 4

SECTION 443 GROUP L [SFM]

443.1 Group L Laboratories. For applications listed in Section 111 regulated by the Office of the State Fire Marshal, Group L Occupancies shall include buildings and structures or portions thereof, used as laboratories for scientific experimentation or research having quantities of materials not in excess of those listed in Tables 307.1(1) 443.1(1) and 307.1.(2) 443.1(2) except as modified in this Section and not classified as Group B Occupancy. This occupancy shall be designed and constructed in accordance with the requirements for a Group B Occupancy except as specified in this Section.

443.2.3 Laboratory Suite. For purposes of this Section the definition of a "laboratory suite" shall be the same as a "centrel area" as defined by Section 307.2-A laboratory suite is a space up to 10,000 square feet (929 m2) bounded by not less than a one-hour fire-resistive occupancy separation within which the exempt amounts of hazardous materials may be stored, dispensed, handled or used.

Authority: Health and Safety Code Sections 13108, 13143 References: Health and Safety Code Sections 13143

443.3 Hazardous Material Restrictions

443.3.1 Hazardous Material Restrictions - Floors 1, 2, 3, and 1st Basement Level. Up through the third floor and down through the first basement level, the maximum quantity of hazardous materials per laboratory suite shall comply with Tables 307.1(1) and 307.1.(2) 443.1(2). Quantities of materials shall not be permitted to be increased with an approved automatic sprinkler system.

Authority: Health and Safety Code Section 13143 References: Health and Safety Code Section 13143

443.3.2 Hazardous Material Restrictions - Floors 4, 5, 6, and 2nd and 3rd Basement Levels. For the fourth, fifth, sixth floors, and the second and third basement levels, the maximum quantity of hazardous materials per laboratory suite shall be reduced to 75% of those allowed by Tables 307.1(1) and 307.1.(2) 443.1(2). Quantities of materials shall not be permitted to be increased with an approved automatic sprinkler system.

Authority: Health and Safety Code Section 13143 References: Health and Safety Code Section 13143

443.3.3 Hazardous Material Restrictions - Floors 7 and Above, and Below 3rd Basement Level. For the seventh floor and above, and below the third basement floor level, the maximum quantity of hazardous materials per laboratory suite shall be reduced to 50% of those allowed by Tables 307.1(1) and 307.1.(2) 443.1(2). Quantities of materials shall not be permitted to be increased with an approved automatic sprinkler system.

TABLE 3-D.1 443.1(1) For SFMJ-EXEMPT AMOUNTS OF HAZARDOUS MATERIALS, LIQUIDS AND CHEMICALS PRESENTING A PHYSICAL HAZARD BASIC QUANTITIES PER LABORATORY SUITE [SFM] When two units are given, values within parentheses are in cubic feet (Cu. Ft.) or pounds (Lbs.)

CONDITION		STORAGE			USE.CLOSED SYSTEMS			USE.OPEN SYSTEMS		
MATERIAL	CLASS	Solid Lbs. (Cu. Ft.)	Liquid Gallons (Lbs.)	Gas Cu. Ft.	Solid Lbs. (Cu. Ft.)	Liquid Gallons (Lbs.)	Gas Cu. Ft.	Solid Lbs. (Cu. Ft.)	Liquid Gallons (Lbs.)	Gas Cu. Ft.
1.1 Combustible liquid	11		120 ²			120		_	30	
	III-A	_	330 ²	_	_	330	_	_	80	_
	III-B		13,200 ²			13,200		_	3,300	
1.2 Combustible dust lbs./1000 cu. ft.		1			1	_	_	1	_	_
1.3 Combustible fiber (loose) (baled)		(100) (1,000)			(100) (1,000)			(20) (200)		
1.4 Cryogenic, flammable or oxidizing			45			45	_	_	10	_
2.1 Explosives		12	(1) ²	_	1/4	(1/4)	_	1/4	(1/4)	
3.1 Flammable solid		125 ²	_	_	25	_	_	25	_	_
3.2 Flammable gas (gaseous) (liquefied)		_	— 1 <i>5</i> ²	750 ²	_	— 1 <i>5</i> ²	750² —	_	_	_
3.3 Flammable liquid	I-A	_	30 ²	_	_	30	_	_	10	_
Combination I-A, I- B, I-C	I-B		60 ²		_	60		_	15	
	I-C		90 ²	_	_	90		_	20	
		_	120 ²	_	_	120	_	_	30	_
4.1 Organic peroxide, unclassified detonatable		12	(1)2	_	1/4	(1/4)	_	1/4	(1/4)	_
4.2 Organic peroxide	I II III IV V	5 ² 50 ² 125 ² 500 N.L.	(5) ² (50) ² (125) ² (500) N.L.	_ _ _ _	(1) 50 125 500 N.L.	(1) (50) (125) (500) N.L.	_ _ _ _	1 10 25 100 N.L.	1 (10) (25) (100) N.L.	_ _ _ _
4.3 Oxidizer	4 3 2 1	1 ² 10 ² 250 ² 1,000 ²	(1) ² (10) ² (250) ² (1,000) ²		1/4 ² 2 50 1,000	(1/4) (2) (250) (1,000)	_ _ _	½ 2 50 200	(1/4) (2) (50) (200)	_ _ _
4.4 Oxidizer.Gas (gaseous) (liquefied)		_ _	— 15 ²	1,500 ²		— 15 ²	1,500 ²	_ _	_ _ _	
5.1 Pyrophoric		4 ²	<i>(4)</i> ²	50 ²	1	(1)	10 ²	0	0	0
6.1 Unstable (reactive)	4 3 2 1	1 ² 5 ² 50 ² 125 ²	(1) ² (5) ² (50) ² (125) ²	10 ² 50 ² 250 ² 750 ²	1/4 1 50 125	(1/4) (1) (50) (125)	2 ² 10 ² 250 ² 750 ²	1/4 1 10 25	(1/4) (1) (10) (25)	0 0 0
7.1 Water (reactive)	3 2 1	5 ² 50 ² 125 ²	(5) ² (50) ² (125) ²	— — —	5 50 125	(5) (50) (125) ²		1 10 25	(1) (10) (25)	_ _ _

A laboratory suite is a space up to 10,000 square foot (020 m2) bounded by not loss than a one hour fire resistive occupancy separation within which the exempt amounts of hazardous materials may be stored, dispensed, handled or used. Up through the third floor and down through the first basement floor, the quantity in this table shall apply. Fourth, fifth and sixth floors and the second and third basement floor level quantity shall be reduced to 75 percent of this table. The seventh through 10th floor and below the third basement floor level quantity shall be reduced to 50 percent of this table. See Section 443.3 Hazardous Material Restrictions

TABLE 3-1-443.1(2) [For SFM] EXEMPT AMOUNTS OF HAZARDOUS MATERIALS, LIQUIDS AND CHEMICALS PRESENTING A HEALTH HAZARD MAXIMUM QUANTITIES PER LABORATORY SUITE [SFM] When two units are given, values within parentheses are in pounds (Lbs.)

		STORAGE		USE.CLOSED SYSTEMS			USE.OPEN SYSTEMS		
MATERIAL	Solid Lbs.	Liquid Gallons (Lbs.)	Gas Cu. Ft.	Solid Lbs.	Liquid Gallons (Lbs.)	Gas Cu. Ft.	Solid Lbs.	Liquid Gallons (Lbs.)	
1. Corrosives	5,000	500	650 ²	5,000	500	650	1,000	100	
2a. Highly toxics ²	40	10	65	5	1	65	2	1/4	
2b. Toxics	500	50	650 ²	500	50	650	5	1/2	
3. Irritants	5,000	500	650	5,000	500	650	1,000	100	
4. Sensitizers	5,000	500	650	5,000	500	650	1,000	100	
5. Other health hazards	5,000	500	650	5,000	500	650	1,000	100	

^{1 (}Relocated to sections 443.2.3 and 443.3) A laboratory suito is a space up to 10,000 square foot (020 m2) bounded by not loss than a one hour fire resistive occupancy separation within which the exempt amounts of hazardous materials may be stored, dispensed, handled or used. Up through the third floor and down through the first basement floor, the quantity in this table shall apply. Fourth, fifth and sixth floors and the second and third basement floor level quantity shall be reduced to 75 percent of this table. The seventh through 10th floor and below the third basement floor level quantity shall be reduced to 50 percent of this table. See Section 443.3 Hazardous Material Restrictions

Authority: Health and Safety Code Sections 13108, 13143 References: Health and Safety Code Sections 13143

Rationale:

SFM is proposing to bring forth existing SFM amendments design and construction features in Group L occupancies used as laboratories for scientific experimentation or research facilities previously classified as H-8 Occupancies. These amendments are being consolidated into section 443, previously these provisions had been located in various sections throughout the CBC. Furthermore 2001 CBC Tables 3-D-1 and 3-I are being carried forward and footnote 1 has been moved to sections 443.2.3 and 443.3. These changes from the original express terms submitted August 19, 2006 are a result of a public comment received.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

CHAPTER 17A

1704*A***.1 General.** Where application is made for construction as described in this section, the owner shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704*A*. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in Section 109, *Appendix Chapter 1*.

² Quantities may be increased 100 percent when stored in approved exhausted gas cabinets, exhausted enclosures or fume hoods.

² Permitted only when stored or used in approved exhausted gas cabinets, exhausted enclosures or fume hoods. Quantities of high toxics in use in open systems need not be reduced above the third floor or below the first basement floor level. Individual container size shall be limited to 2 pounds (0.91 kg) for solids and 1/4 gallon (0.95 L) for liquids.

Exceptions:

- 1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.
- 2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.
- 3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as applicable in Section 101.2, *Appendix Chapter 1* and occupancies in Group U that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.

Authority: Health and Safety Code Sections 13143, 18949 References: Health and Safety Code Sections 13143

Rationale:

OSFM is correlating this amendment which is derived from the amendment proposed to 1701.4.1.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.

CHAPTER 21A

2113A.9.1 Spark arrestors. Where a spark arrester is installed on a masonry chimney (Relocated from 2001 CBC 3102.3.8a) **3102.3.8a** [For SFM] Spark arrester. All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester., the spark arrestor shall meet all of the following requirements:

- 1. The not free area of the arrector shall not be less than four times the not free area of the outlet of the chimney flue it serves.
- The arrector screen shall have heat and correction resistance equivalent to 19 gage galvanized steel or 24 gage stainloss steel.
- Openings shall not permit the passage of spheres having a diameter greater than 1/2 inch (13 mm) nor block the passage of spheres having a diameter loss than 3/8 inch (11 mm).
 - 1. The net free area of the spark arrester shall not be less than four times the net free area of the outlet of the chimney.
 - 2. The spark arrester screen shall have heat and corrosion resistance equivalent to 12 gage wire, 19 gage galvanized wire or 24 gage stainless steel.
 - 3. Openings shall not permit the passage of spheres having a diameter larger than 1/2 inch (12.7 mm) and shall not block the passage of spheres having a diameter of less than 3/8 inch (9.5 mm).
 - 4. The spark arrestor shall be accessible for cleaning and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

Authority: Health and Safety Code Sections 13143, 17921 References: Health and Safety Code Sections 13143

Rationale:

OSFM is correlating this amendment which is derived from the amendment proposed to 2113.9.1.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2006 International Building Code and published as the 2007 California Building Code pursuant to Health and Safety Code Section 18949.2, 13108, 13113, 13114, 13131.5, 13143 and 17921.